

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 7370 of 2005

Between:

Karra Santharatnam, w/o. Yesudas,
Gutlapadu Gram Panchayat, R/o. Gutlapadu Village,
Bhimavaram Mandal, W.G.District.

..... PETITIONER

AND

- 1 The District Collector (PR), Eluru, W.G.District.
 - 2 The District Panchayat Officer, West Godavari, Eluru. West Godavari District.
 - 3 The Divisional Panchayat Officer, Narsapuram, W.G.District.
 - 4 The Extension Officer, PR& RD Bhimavaram, West Godavari District.
- 5 The Government of A.P. rep. By its Secretary PR & RD, Secretariat,
Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue order or orders, direction or directions, writ or writs, particularly one in the nature of Writ of Mandamus call for the records pertaining to Rc.No.2225/2004-A5(P), dt. 3.2.2005 and set aside the same as illegal, arbitrary, against the provisions of Gram Panchayat Act, 1994 and violative of Article 20 of the Constitution of India and to pass such other orders as are necessary in the interest of justice.

Counsel for the Petitioner : MR. K.L.N.SWAMY

Counsel for the Respondents : GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court at the stage of admission made the following :

THE HON'BLE MS. JUSTICE G.ROHINI

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WRIT PETITION NO.7370 OF 2005

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ORDER:

The petitioner is the elected Sarpanch of Gutlapadu Gram Panchayat, Gutlapadu Village, Bhimavaram Mandal, West Godavari District. By order dated 3-2-2005, passed by the first respondent – District Collector (Panchayat Wing), the petitioner was placed under suspension for a period of three months under Section 249(6) of the A.P. Panchayat Raj Act, 1994 (for short, 'the Act'), which is challenged in this writ petition.

It is to be noted that against the said order, an alternative remedy is available under the Act by way of Revision under Section 264 of the Act, and the petitioner has already preferred such Revision before the 5th respondent. Hence, I am not inclined to go into the merits of the case. However, the learned Counsel for the petitioner states that though the petitioner preferred a Revision Petition along with an application for stay on 14-02-2005, the fifth respondent failed to consider the same and no orders have been passed so far.

Having regard to the facts and circumstances, I deem it appropriate to dispose of the writ petition with a direction to the 5th respondent to consider the application for stay filed by the petitioner in the Revision Petition filed against the order of the first respondent dated 3-2-2005 and to dispose of the same as expeditiously as possible preferably within a period of two weeks from the date of receipt of this order. No costs.

The Writ Petition is accordingly disposed of. No costs.

06th April, 2005.

Note:- CC in three days.

(B/O)

gbs

To

- 1 The District Collector (PR), Eluru, W.G.District.
- 2 The District Panchayat Officer, West Godavari, Eluru. West Godavari District.
- 3 The Divisional Panchayat Officer, Narsapuram, W.G.District.
- 4 The Extension Officer, PR& RD Bhimavaram, West Godavari District.

5. The Secretary Panchayat Raj & Rural Development, Govt. of A.P.
Secretariat, Hyderabad.

**6. Two CCs to GP. For Panchayat Raj & Rural Development, High Court of AP
Bldgs, Hyderabad (OUT).**

7. Two CD Copies.